



CALIFORNIA STATE
PUBLIC WORKS BOARD

EDMUND G. BROWN JR. • GOVERNOR

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STATE PUBLIC WORKS BOARD

May 9, 2014

MINUTES

PRESENT:

Ms. Eraina Ortega, Chief Deputy Director, Department of Finance
Mr. Esteban Almanza, Chief Deputy Director, Department of General Services
Mr. Malcolm Dougherty, Director, Department of Transportation

CALL TO ORDER AND ROLL CALL:

Ms. Eraina Ortega, Chairperson of the Board called the meeting to order at 10:00 a.m.
Ms. Aurelia Bethea, Executive Assistant for the Board, called the roll. A quorum was established.

MINUTES:

The first order of business was approval and adoption of the minutes from the April 1, and April 11, 2014 meetings. Mr. Rogers reported that staff had reviewed the minutes and recommended approval and adoption of the minutes.

A motion was made by Mr. Dougherty and seconded by Mr. Almanza to approve and adopt the minutes from the April 1, and April 11, 2014 meetings. The minutes were approved by a 3-0 vote.

The second item of business before the Board was the Consent Calendar.

CONSENT ITEMS:

Mr. Rogers informed the Board there were 6 Consent Items. In summary, the consent calendar consisted of the following requested actions:

- 2 requests to approve preliminary plans [Items 1 & 6]
- 1 request to authorize site selection [item 2]
- 2 requests to approve preliminary plans, approve the use of inmate/ward labor, and recognize revised project costs. [Item 3 & 5]
- 1 request to recognize a scope change, approve preliminary plans, approve the use of inmate/ward labor, and an augmentation [Item 4]

Staff recommended approval of the Consent Calendar consisting of Consent Items 1 through 6.

There were no comments or questions from the Board or the public.

A motion was made by Mr. Almanza and seconded by Mr. Dougherty to approve Consent Items 1 through 6. The Consent Items were approved by a 3-0 vote.

ACTION ITEMS:

Action Item #1 was for the High Speed Rail Authority, Initial Operating Segment, Section 1, in Fresno County, and was to consider site selection of 141 parcels, in full and/or in part conditioned by the requirement that no offers to purchase shall be made until any required environmental clearances are made. Staff recommended approval of the acquisition. Mr. Dougherty reiterated the parcels were only for site selection and no offers would be made until environmental clearances were made, which Mr. Rogers confirmed.

Mr. Frank Oliveria, Citizens for High Speed Rail Accountability, asked if this item was voted on at the April 11, 2014 meeting and were the parcels that were pulled included in the Hanford Bypass. Mr. Randy Katz, Board staff, explained that only 144 parcels were approved at that time confirmed none of the parcels included in Hanford Bypass were considered in this action.

There were no further questions from the public or comments from the Board.

A motion was made by Mr. Dougherty and seconded by Mr. Almanza to approve the staff recommendation for Action Item #1. Action Item #1 was approved by a 3-0 vote.

Action Item #2 was to consider authorizing acquisition of a parcel for the High Speed Rail Authority in Fresno County. The parcel represents .09 acres out of a larger 13.7 acre parcel that is required by the High Speed Train System.

Mr. Rogers reported the environmental review process had been completed for this parcel and this parcel was site selected by the Board. The right of way contract includes a non-standard clause thus requiring Board approval. Staff recommended approval of the acquisition. Mr. Dougherty asked if this would normally be a delegation item but because of the non-standard language included in the contract the Board was required to approve the acquisition, to which staff confirmed.

There were no further comments or questions from the Board or the public.

A motion was made by Mr. Almanza and seconded by Mr. Dougherty to authorize the acquisition. Action Item #2 was authorized by a 3-0 vote.

Action Item #3 was to consider adoption of Resolutions of Necessity authorizing the use of eminent domain (condemnation) to acquire the Carson Property and the Fresno Property Management, LLC Property located in Madera and Fresno counties.

If approved, the requested action would approve adoption of two Resolutions of Necessity authorizing the use of eminent domain to acquire two properties totaling approximately 1.26 acres located in Madera and Fresno Counties. Joann Georgallis, who is acting as Counsel to the Board on these matters, presented the Resolution of Necessities.

Mr. Dougherty asked if the property owners were given notice and allowed to appear before the Board. Ms. Georgallis confirmed.

Mr. Frank Oliveria requested copies of the Resolutions and other related documents.

There were no further questions or comments from the Board or the public.

A motion was made by Mr. Dougherty and seconded by Mr. Almanza to approve staff recommendations. Action Item #3 was approved by a 3-0 vote.

Action Item #4 was for the Department of Corrections and Rehabilitation, Monterey County Jail Project. The action was to consider recognizing a scope change and revised project costs contingent upon the expiration of the Joint Legislative Budget Committee (JLBC) Review period. The reason this item is an action item is that the JLBC review period will not expire until May 13. The recognition of revised project costs is required, as this project received an additional award from the Board of State and Community Corrections, bringing the total project cost to \$88.9 million.

Staff recommended approval of the scope change and recognize revised project costs contingent upon expiration of the review period.

There were no questions or comments from the Board or the public.

A motion was made by Mr. Almanza and seconded by Mr. Dougherty to approve staff recommendations. Action Item #4 was approved by a 3-0 vote.

OTHER BUSINESS ITEMS:

Other Business Item #1 was to consider authorizing the execution of a multi-year contract with Gilbert Associates, Inc. for auditing of the Board's two bond funds.

The Board is required, by its bond indentures, to have its bond funds audited annually by an independent auditing firm. The Board's current contract with Gilbert Associates expires July 31, 2014. Authority to enter into these contracts, as outlined, is found in sections 15837.5 and 15837.6 of the Government Code. The proposed term of the contract is for a term of two years.

Staff recommended approving the execution of a two-year contract with Gilbert Associates for purposes of auditing the Board's two bond funds as required by the Board's bond indentures. There were no questions or comments from the Board or the public.

A motion was made by Mr. Dougherty and seconded by Mr. Almanza to approve staff recommendations. Other Business Item #1 was approved by a 3-0 vote.

Other Business Item #2 was to consider approving a three-year extension of the interagency agreement between the Board and CalTrans to provide legal services in connection with right-of-way acquisitions for the High Speed Train System (HSTS).

The current interagency agreement between the Board and Caltrans expires on June 30, 2014, and this request would extend that contract through June 30, 2017.

Staff Recommended authorizing a three-year extension of the interagency agreement between the Board and Caltrans to provide legal services in connection with right-of-way acquisitions for the HSTS.

There were no questions or comments from the Board or the public.

A motion was made by Mr. Dougherty and seconded by Mr. Almanza to approve staff recommendations. Other Business Item #2 was approved by a 3-0 vote.

REPORTABLES:

Mr. Rogers informed the Board there was one Reportables this month:

Department of Corrections and Rehabilitation, Pleasant Valley State Prison, Health Care Facility Improvement Project, Kern County:

- Approve an augmentation, \$1,121,000

NEXT MEETING:

The next Board meeting is scheduled for Friday, June 13, at 10:00 am in the **State Capitol, Room 113.**

Ms. Ortega asked if there were any comments or questions from the Board or the public. There were none.

The meeting was adjourned at 10:22 a.m.

NEXT MEETING:

The next Board meeting is scheduled for Friday, May 9 at 10:00 am in the **State Capitol, Room 113.**

Ms. Ortega asked if there were any comments or questions from the Board or the public. There were none.

The meeting was adjourned at 10:24 a.m.